

# PATENT COOPERATION TREATY

From the  
INTERNATIONAL SEARCHING AUTHORITY

## PCT

To:

see form PCT/ISA/220

### WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Date of mailing  
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference  
see form PCT/ISA/220

**FOR FURTHER ACTION**  
See paragraph 2 below

International application No.  
PCT/B2004/000607

International filing date (day/month/year)  
27.02.2004

Priority date (day/month/year)  
28.02.2003

International Patent Classification (IPC) or both national classification and IPC  
A63B49/00, A63B49/02

Applicant  
PRINCE SPORTS, INC.

#### 1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☒ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☒ Box No. VIII Certain observations on the international application

#### 2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

#### 3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



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# INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/IB2004/000607

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
WO 9426361	A	24-11-1994	JP 6319833 A AU 6690594 A WO 9426361 A1	22-11-1994 12-12-1994 24-11-1994
EP 1151762	A	07-11-2001	EP 1151762 A2 JP 2001353235 A	07-11-2001 25-12-2001
US 5993337	A	30-11-1999	NONE	

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

Box No. I Basis of the opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.  
☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
  - a. type of material:  
☐ a sequence listing  
☐ table(s) related to the sequence listing
  - b. format of material:  
☐ in written format  
☐ in computer readable form
  - c. time of filing/furnishing:  
☐ contained in the international application as filed.  
☐ filed together with the international application in computer readable form.  
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.  
PCT/IB2004/000607

Box No. II Priority

1. ☒ The following document has not been furnished:

☒ copy of the earlier application whose priority has been claimed (Rule 43*bis*.1 and 66.7(a)).

☐ translation of the earlier application whose priority has been claimed (Rule 43*bis*.1 and 66.7(b)).

Consequently it has not been possible to consider the validity of the priority claim. This opinion has nevertheless been established on the assumption that the relevant date is the claimed priority date.

2. ☐ This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43*bis*.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.

3. Additional observations, if necessary:

Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	11-14
	No: Claims	1-10
Inventive step (IS)	Yes: Claims	
	No: Claims	1-14
Industrial applicability (IA)	Yes: Claims	1-14
	No: Claims	

2. Citations and explanations

see separate sheet

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

see separate sheet

**Re Item V.**

1 The following documents are referred to in this communication:

D1 : WO 94/26361 A (USUI MITSURU) 24 November 1994 (1994-11-24)

D2 : EP 1 151 762 A (TOPKEY CORP ; WILSON SPORTING GOODS (US)) 7  
November 2001 (2001-11-07)

D3 : US 5 993 337 A (JANES RICHARD ET AL) 30 November 1999 (1999-11-  
30)

D4 : US 4 681 319 A (ZILINSKAS GENE) 21 July 1987 (1987-07-21)

**2 INDEPENDENT CLAIM 1**

2.1 The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 1 is not new in the sense of Article 33(2) PCT.

Document D1 discloses (the references in parenthesis applying to this document):

A sports racquet having a tubular frame (see figure 1) including a head portion defining a stringing area and a handle portion coupled to said head portion (generally common to all racquets) wherein said head portion includes a plurality of opposed string holes (figure 3) formed in said frame and having string bearing surfaces (figure 1) suitable for anchoring the ends of a first set of string segments extending in a first direction and the ends of a second set of string segments extending in a second direction, wherein said string holes are positioned to provide a predetermined spacing between contiguous string segments in each set (figures 1-3), characterised in that at least one of said string holes is a first enlarged string hole having at least two string bearing surfaces (figure 1)

2.2 Document D2 discloses (the references in parenthesis applying to this document):

A sports racquet (10) having a tubular frame including a head portion (20) defining a stringing area and a handle portion (22) coupled to said head portion wherein said head portion includes a plurality of opposed string holes (elongated slots 32) formed in said frame and having string bearing surfaces (16) suitable for anchoring the ends of a first set of string segments extending in a first direction and the ends of a second set of string segments extending in a second direction (column 8 lines 28-33), wherein said

string holes are positioned to provide a predetermined spacing between contiguous string segments in each set, characterised in that at least one of said string holes is a first enlarged string hole having at least two string bearing surfaces (figures 4 and 5)

2.3 Therefore, claim 1 is not novel over either of documents D1 or D2.

### **3 DEPENDENT CLAIMS 2-14**

Dependent claims 2-14 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step (Article 33(2) and (3) PCT). For further details thereof, see the search report.

### **Re Item VIII.**

4 Claims 7-9 are not supported by the description, Article 6 PCT.